IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.772 OF 2006

1. Bajirao Balu Khapte and Ors. ....Applicants.

V/s

State of Maharashtra ..Respondents.

Mr. Nitin Jamdar for the applicants.
Ms. Rajeshree M. Gadhvi, APP for the State.

CORAM: V.M. KANADE, J.
DATE: 8th March, 2006

P.C.:

1. Heard the learned Counsel for the applicant and the learned APP for the State.

2. The daughter of applicant No.1 committed suicide and, therefore, a complaint was lodged by the applicants under section 498A, 306 of the Indian Penal Code against her in-laws. The applicants stay in the adjoining village. It is the case of the complainant that after his daughter-in-law committed suicide, a mob of 30 to 40 people came near their house and set it on fire. In the complaint, it is stated that the complainant in the said case along with his family members were hiding in the farm when the incident took place. The Sessions Court rejected the application of the applicants merely on the ground that the

investigation is not over.

3. In my view, considering the peculiar facts and circumstances of the case, this is a fit case for grant of bail. I have perused the FIR. In the FIR, names of the persons who set the house of the complainant on fire have not been mentioned and the complainant merely says that 30 to 40 people committed the said offence. The applicants, admittedly, are the residents of the adjoining village. The complaint which is filed by the applicant No.1 is also being investigated.

4. In these circumstances, the applicants be released on bail in the sum of Rs 5000/- each with one or two sureties in the like amount each. The applicants to report to Bhor Police Station once in a month.

5. The application is accordingly disposed of.

V.M. KANADE, J.